

Remarks

Independent claims 1 and 8 have been amended to provide for the arm member being connected to the underside of the dipper stick, pivotal between an operative position cooperable with the implement for grappling objects between the arm member and the implement when the implement is pivoted toward the arm member, and an inoperative position disposed along the underside of the dipper stick; means operatively interconnecting the underside of the dipper stick and the arm member for pivoting the arm member between the operative and inoperative positions; and means for detachably latching the arm member in the inoperative position including one of the dipper stick and the arm member having at least one transversely disposed recess and the other of the dipper stick and arm member having yieldably biased, transversely displaceable protuberance tripable upon engagement by such one of the dipper stick and arm member receivable in the recess when the arm member is pivoted between the operative and inoperative positions. In this regard, it is submitted that the Risch Patent taken alone or in view of the Wilson Patent fails to disclose or teach such structure.

Initially, it is submitted that arm members 50a and 50b of the Risch apparatus are not pivotally connected to the underside of dipper stick 31 thereof but instead are pivotally connected to the sides of such dipper stick by means of a connecting pin 24. Secondly, it is submitted that arm members 50a and 50b of Risch are not operable to be disposed along the underside of the dipper stick thereof when in an inoperative position but instead along the sides of the dipper stick as clearly shown in Figures 3B and 3C. Furthermore, it is submitted that Shaw fails to disclose and Wilson fails to teach a modification of Risch to provide a yieldably biased, transversely displaceable protuberance tripable upon engagement of one of the dipper stick and arm member and receivable in a recess when the arm member is pivoted between the operative and inoperative positions. Although Wilson discloses an adapter member 20 mountable on the cutting edge of a bucket, having a pair of depressable locking pins 50, and a tooth 18 mountable on such adapter member with openings 43 into which such locking pins may extend to secure such tooth on the adapter member, such structure fails to disclose such locking pins as being tripable upon movement of such adapter member and tooth relative to each other in a manner as recited in Applicant's claims as amended. In this regard, the Examiner's attention is invited to column 3, lines 22 through 31 of the Wilson Patent, which states:

"...Tooth member 18 may be readily secured to the adapter member 20 by pressing the locking pins 50 inwardly against the spring means 52 so that the detents 54 are recessed within the bore 48 at least flush with the outer surface of the ribs 42 and the forward portion 30 of adapter 20 can then be slid into recess 40 with ribs 42 seating in channels 41 where the detents 54 are biased into the apertures 43 when the bore 48 is in register therewith to securely lock the tooth member 18 to the adapter member 20."

Accordingly, it will be appreciated that Wilson fails to provide any teaching to modify the structure of the Risch Patent to arrive at the claimed invention. Furthermore, it is submitted that any such modification of the Risch arrangement would constitute a major reconstruction of the structure shown in Risch which clearly provides for the removal of locking pin 57 from aligned openings in clamp links 16a and 16b and arms 50a and 50b when such arm members are locked in an extended operative position as shown in Figure 3A, and the insertion of such pin in aligned openings 66a and 66b of the arm members and the opening in depending bracket 59 when the arm members are disposed in an inoperative position along the sides of the dipper stick. The arrangement disclosed in the Risch Patent requires the manual removal and insertion of locking pin 57 whereas the claimed invention permits the retention and release of the arm member merely through the operation of the front end assembly of the machine.

In view of the foregoing, it respectfully is requested that rejection of Claims 1-16 as now amended be withdrawn, such claims be allowed and that the application be passed to issue.

Respectfully submitted,



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